

CHAPTER 338
FORMERLY
HOUSE BILL NO. 174

AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 513(d)(2) of Title 13 of the Delaware Code as follows:

(2) An order of child support entered by this Court or a court of competent jurisdiction in this or any other state, including orders entered prior to March 31, 1987, shall not be retroactively modified except with respect to any period during which there is pending petition for prospective modification but only from the date that notice of such petition has been given to the respondent directly or through the respondent's agent, including the Division of Child Support Enforcement in cases administered under Title IV-D of the Social Security Act. In addition to any other manner or type, "notice" for the purposes of this paragraph shall include but not be limited to regular mail to the most recent address provided to the Court by the respondent or otherwise confirmed by a superior form of service in this or any other action. Said notice shall be effective on the date of delivery, ~~or~~ first attempted delivery, or 3 days after posting (if by regular mail), whichever first occurs.

Approved July 29, 2016